Appl. No.:

09/733,396

Amdt. dated: Reply dated: December 16, 2003

July 1, 2004

## **REMARKS / ARGUMENTS**

7146.0084

The Examiner rejected claims 32-36 as being unpatentable over Mizoguchi, U.S. Patent No. 6,621,578 in view of Plummer, U.S. Patent No. 4,416,514.

Figure 4 of Mizoguchi disclose an adjustment mechanism that includes a mount 210 for rotatably supporting the rotary element 202. The mount 210 includes a movable frame for holding the rotary element and a fixed frame 214 for supporting the movable frame rotatable about the axis 216. The fixed frame 214 includes an angular adjusting mechanism which has a rotatable input axis to convert the rotation of the input axis into an angular change of the movable frame. The movable frame 212 may be manually rotated. The movable frame 212 may be fixed to the frame 214 by a screw.

The Examiner notes that Mizoguchi fails to disclose sections (b), (c), and (d) of claim 32.

The Examiner notes that Mizoguchi fails to disclose claim 33.

The Examiner notes that Mizoguchi fails to disclose sections (c), (d), and (e) of claim 35.

The Examiner notes that Mizoguchi fails to disclose sections (c), (d), and (e) of claim 36.

Figure 7 of Plummer teaches a wave plate that includes a handle for manual rotation thereof. The handle is a piece of material protruding outwardly from the circular

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wave plate apparently at a 90 degree angle thereof. Accordingly by moving the handle the circular wave plate rotates.

Claims 32, 35, and 36 patentably distinguishes over Mizoguchi in view of Plummer by claiming a substantial length of a bendable member proximate to a periphery of the wave plate forming an arc shape.

In contrast, Plummer fails to teach that the handle is flexible nor any advantage of a flexible handle. Plummer also fails to teach that the handle is ever maintained in an arch shape within the mounting.

Claims 33 and 34 depend from claim 32 and are patentable for the same reasons asserted for claim 32.

Claims 37-45 have been canceled, without prejudice.

The applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the Examiner believes that for any reason direct contact with applicant's attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

> Respectfully submitted, Chernoff Vilhauer McClung & Stenzel, LLP 1600 ODS Tower 601 SW Second Avenue Portland, Oregon 97204

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